

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Higher Education Dept. – APTES – Relaxation of qualification of Masters Degree and Ph.D. in the appropriate branch of study, issued in GOMs No.178, Higher Education Dept., dt.09.12.2005 as one time settlement – Orders – Issued.

HIGHER EDUCATION (TE) DEPARTMENT

G.O.RT.No. 206

Dated: 23-11-2017

Read the following:-

1. G.O.Ms.No.178, Higher Education (TE) Dept., Dated 09.12.2005.
2. From the CTE, AP, Letter No.C2/4692/2013, Dt.30.08.2013.
3. Govt. Memo No.11224/TE.I.A2/2013, Dt.31.10.2013.
4. From the CTE, AP, Letter No.C2/8726/2013, Dt.18.12.2013.
5. Govt. Memo No.11224/TE.I.A2/2013, Dt.22.1.2014.
6. From the CTE, AP, Lr.No.4692/2013, Dt.01.09..2014.
7. Govt. Memo No.11224/TE.I.A2/2013, Dt.14.04.2017.
8. From the CTE, AP, Lr.No.G2/2345/2017, Dt.12.05.2017.

ORDER:

In G.O.Ms.No.178, Dated 09.12.2005 first read above, orders were issued, prescribing the qualification for the post of Principals and Head of Sections in Technical Education Department is “Masters Degree in appropriate branch of Engineering / Technology with First Class at Master’s or Bachelor’s level (or) Ph.D. in appropriate branch of Engineering” for Engineering Branches, and for non-engineering branches the qualification is “Ph.D. in First Class Master’s Degree in appropriate subject.

2. In the reference 2nd read above, the CTE, AP has stated that Government have already accepted the Committee recommendations on the issue of appropriateness as per the report of the JNTU, Hyderabad according to which the University permission for pursuing M.Tech. Course itself deals with the appropriateness of the relevant branch, as University would permit Higher Studies only in the appropriate branch of Engineering, and requested the Government to approve the DPC proposals for promotion to the post of Head of Section in Engineering and Non-Engineering branches for the panel year 2012-13, keeping in view the Judgement of Hon’ble Tribunal in OA No .1277/2010 and batch dt.11.6.13, AICTE clarification and JNTU Hyderabad opinion. After examination of the matter, in Government Memo dt.31.10.2013 in the reference 3rd read above, the CTE, AP was requested to refer all pending cases for clarification to A.P. State Council of Higher Education and furnish report to Government.

3. The CTE, AP vide letter dt.18.12.2013 in the reference 4th read above, has stated that, in response to the above Government Memo 3rd read above, he has addressed a letter to Secretary, APSCHE, and in turn the Secretary, APSCHE vide letter No.APSCHE/PG/CTE/Appropriateness-PG-Degrees/2013, Dt.11.12.2013 has furnished recommendations on the appropriateness of the qualifications for deciding the eligibility of Senior Lecturer for promotion to the post of Heads of Section and Heads of Section to the post of Principals. The Secretary, APSCHE has stated that they have constituted an expert committee to examine the appropriateness of P.G. Qualification possessed by Senior Lecturers and Heads of Section in Engineering Branches for the purpose of promotion in Government Polytechnic Colleges. The Committee reviewed the matter and recommended that “The positions of Head of Section and Principal are mainly administrative in nature and further, they have put up their service in the Department / Section based on their B.E. / B. Tech. qualification and specialisation. Hence, the individual may be considered for promotion in the branch in which the individual has done their basic degree i.e. B.E. / B.Tech degree and has put up required service. Accordingly, in Government Memo in the reference 5th read above, the CTE, AP was requested to send revised DPC notes as per the advice rendered by the APSCHE in the matter, for taking further action.

4. The CTE, AP vide letter in the reference 6th read above, has submitted revised DPC proposals for empanelment of Senior Lecturers in Engineering and Non-Engineering including the case of Sri G. Tejeswara Rao, Senior Lecturer in English, Government Polytechnic, Srikakulam for promotion to the post of Head of Section, for the panel year 2011-12. However, no DPC was conducted in view of the orders issued by Genl. Admn. (DPC.I) Department vide G.O.Rt. No .2147, Dt.16.05.2014, that ban orders on all promotions, appointments, transfers, revision of seniority and change in terms and conditions of employment.

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5. Citing the above reasons, that the CTE, AP has submitted review DPC proposals but not considered their cases for promotion, Dr. M. Ramakrishna Reddy, Senior Lecturer in EEE, Govt. Polytechnic, Ananthapuram, Dr. N. Chandrasekhar, Senior Lecturer, Govt. Polytechnic, Amadalavalasa and Dr. Shaik Sahil Babu, Sr. Lecturer in ECE, Govt. Polytechnic, Addanki have filed O.A. No .3940/2016, OA No .3932/2016 and O.A. No .3939/2016 respectively, in the Hon'ble A.P. Administrative Tribunal. The Hon'ble APAT passed interim orders in the above 3 OAs that "Pending disposal of the O.A., respondents are directed to consider the case of the applicants for promotion to the post of Head of Sections in terms of letter No .C2/8726/2013 dated 18.12.2013, issued by the 2nd respondent and Memo No.11224/TE.1/A2/2013, dated 22.01.2014 of the Higher Education Department". When the matter is under examination, the above 3 individuals have filed C.A. Nos.795/2016, 796/2016 and 797/2016 respectively, in the Hon'ble A.P. Administrative Tribunal for disobedience of the above orders. The C.As. are posted for hearing / personal appearances in many times.

6. Government after careful examination of the matter, in the reference 7th read above, the Special Commissioner of Technical Education, AP, was informed that Government, decided to implement the above orders of Hon'ble APAT, and accordingly, directed to implement the orders of Hon'ble APAT.

7. The Spl. CTE, AP vide letter in the reference 8th read above has submitted review D.P.C. proposals in respect of Dr. N. Chandra Sekhar, Senior Lecturer in Mechanical Engineering and also in respect of Dr. Shaik Sahil Babu, Sr. Lecturer, Senior Lecturer and Sri G. Tejeswara Rao, Senior Lecturer in English. However, the D.P.C. meeting was not conducted, in view of that without taking any stand on appropriateness of P.G. Qualification. The advisory department have advised to take a stand on the qualification and eligibility of the individuals for promotion to the post of Head of Section once, so that the same should be applicable to all such candidates irrespective of court orders, and the problem can be resolved once for all.

8. Government after careful examination of the matter, decided, and accordingly hereby order to consider all candidates who have passed / obtained in-appropriate branch in Masters Degree / Ph.D. as on today, for promotion to the post of Head of Section / Principal, as one time settlement, and to conduct review D.P.C. whose cases were not considered for promotion so far i.e. from the date of their juniors promoted, in relaxation of G.O.Ms. No .178, Higher Education (TE) Dept., dt.09.12.2005, so as to avoid persistent legal litigations. This order should not be treated as a precedent case, as this is a one time settlement.

9. The Special Commissioner of Technical Education, A.P., Vijayawada shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**ADIT YANATH DAS,
SPECIAL CHIEF SECRETARY TO GOVT.**

To

The Special Commissioner of Technical Education, A.P., Vijayawada.

Copy to:

The Government Pleader for Higher Education,
A.P. Administrative Tribunal, Hyderabad.

// FORWARDED :: BY ORDER //

SECTION OFFICER